

## Laws, Executive Orders (EOs), Key Issues

### ♦ [The Pollution Prevention Act \(PPA\)](#)

Congress passed the PPA in 1990, calling pollution prevention a “national objective” and declaring that “source reduction is fundamentally different and more desirable than waste management and pollution control.”

### ♦ [The Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#)

EPCRA was signed into law in 1992. It requires facilities to comply with local emergency response plans and provide information about listed toxic chemicals to the general public.

### ♦ [The Federal Facilities Compliance Act \(FFCA\)](#)

The FFCA was signed into law in 1992. It subjects all Federal Agencies to all substantive and procedural requirements of Federal, State, and local solid and hazardous waste laws in the same manner as any private party.

### ♦ [The National Environmental Policy Act \(NEPA\)](#)

Congress passed NEPA in 1969. This act requires that Federal Agencies consider the environmental consequences of all major Federal actions, including system acquisition. To comply with NEPA, the Navy endorses the Council on Environmental Quality’s emphasis incorporating pollution prevention considerations into Agency planning and decision making.

### ♦ [EO 12856 - Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements](#)

Signed on 3 August 1993, EO 12856 requires Federal Agencies to comply with the provisions of EPCRA and the PPA.

### ♦ [EO 13101 – Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition](#)

Signed on 14 September 1998, this Order supercedes EO 12873, requiring the head of each Executive Agency to incorporate waste prevention and recycling into the Agency’s daily operations, and work to increase and expand markets for recovered material. It also tasks a Federal Environmental Executive to develop a Government-wide Waste Prevention and Recycling Strategic Plan.

[For the largest return on investment, incorporate pollution prevention early in the acquisition process.](#)

## Management Considerations

### Program Managers:

- Review sections 4.3.7.4 and 4.3.7.5 of DoD 5000.2-R.
- Implement a Pollution Prevention Program for all Acquisition Categories (ACATs).
- Include Pollution Prevention requirements in:
  - Mission Needs Statement (MNS)
  - Operational Requirements Document (ORD)
  - Acquisition Strategy (AS)
- Assign a knowledgeable person to be the system ESH manager
- Ensure P2 requirements are communicated to the PARMS

### ESH Managers:

- Insure contracting strategy provides a mechanism for ensuring the incorporation and continuity of cost effective pollution prevention principles throughout all acquisition phases.
- Consult with NAVSEA 00T for Lessons Learned
- Review NAVSEA Pollution Prevention Desktop Guide
- Review NAVSEA Program Manager's Environmental Guide
- Include P2 requirements in the following contracting documents
  - Statement of Objectives (SOO)
  - Statement of Work (SOW)
  - Request for Proposals (RFP)
  - Performance Specifications

### RFP/Contract Reviewers Check for:

- Requirement to identify/analyze P2 issues
- P2 clauses in Section H or I
- PM P2 requirements
- P2 evaluation requirements
- Consistency among specifications, RFP Sections L & M, SOO, SOW, Contract Data Requirements List (CDRL), and Data Item Descriptions (DIDs)

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NAVSEA Pollution Prevention Working Group  
Naval Sea Systems Command (SEA 00T)

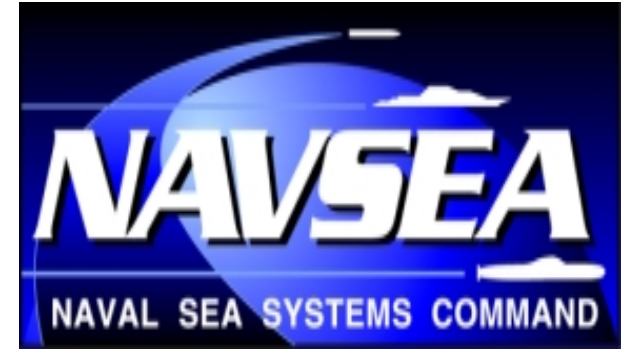
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## Integrating Pollution Prevention Into Contracting



Purpose: This pamphlet was developed by the NAVSEA Pollution Prevention Working Group to increase understanding and awareness of Pollution Prevention in the Contracting Process

**NAVSEA 00T – Office of Environmental Protection, Occupational Safety and Health**

## ACQUISITION PHASES

Phase 0	Phase 1	Phase 2	Phase 3	
Concept Exploration	Program Definition & Risk Reduction	Engineering & Manufacturing Development	Production, Fielding, Deployment & Operational Support	Demilitarization & Disposal

## CONSIDER INCORPORATING POLLUTION PREVENTION INTO THE FOLLOWING:

Lessons Learned: Env Policy Env Objectives Env Targets Env Elements HM Problems P2 Problems	APB AS/PESHE CDRL DID Logistics (ILSP) LCC TOC MNS ORD HMMP P2 Incentive Clauses NEPA Documentation SOW/SOO	Update APB Update AS/PESHE CDRL DID EMP Update HMMP Logistics (ILSP) Update LCC Update TOC P2 Incentive Clauses NEPA Documentation SOW/SOO	Update APB Update AS/PESHE CDRL Demil. Plan DID Update EMP Update HMMP Logistics (ILSP) Update LCC Update TOC NEPA Documentation SOW/SOO	Update APB Update AS/PESHE CDRL Demil. Plan DID Update EMP Update HMMP Logistics (ILSP) Update LCC Update TOC NEPA Documentation SOW/SOO	CDRL DID Demil. Plan Capture Lessons Learned NEPA Documentation SOW/SOO
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### ACRONYMS

**APB** = Acquisition Program Baseline  
**AS** = Acquisition Strategy  
**CDRL** = Contract Data Requirements List  
**DID** = Data Item Description  
**EMP** = Environmental Management Plan  
**ENV** = Environmental  
**HM** = Hazardous Material  
**HMMP** = Hazardous Material Management Program Plan  
**ILSP** = Integrated Logistics Support Plan  
**LCC** = Life-Cycle Cost

**MNS** = Mission Needs Statement  
**NEPA** = National Environmental Policy Act  
**ORD** = Operational Requirements Document  
**P2** = Pollution Prevention  
**PESHE** = Programmatic Environmental Safety & Health Evaluation  
**PM** = Program Manager  
**SOO** = Statement of Objectives (for Contractors/Sub-contractors)  
**SOW** = Statement of Work (for Contractors/Sub-contractors)  
**TOC** = Total Ownership Cost

### **DoD Regulation 5000.2-R\* and SECNAVINST 5000.2**

In DoD Regulation 5000.2-R (which is referenced in SECNAVINST 5000.2), Section 4.3.7.4 states: *“The PM shall establish a hazardous material management program that ensures appropriate consideration is given to eliminating and reducing the use of hazardous materials in processes and products. . .”*

Section 4.3.7.5 states: *“In designing, manufacturing, testing, operating, maintaining, and disposing of systems, all forms of pollution shall be prevented or reduced at the source whenever feasible.”*

It also states: *“The PM shall establish a pollution prevention program to help minimize environmental impacts and the life-cycle costs associated with environmental compliance.”*

### **DoD Instruction 4715.4**

DoD Instruction 4715.4, Section 4.1.2 states: *“It is DoD policy to reduce the use of hazardous materials (HM), the generation or release of pollutants, and the adverse effects on human health and the environment caused by DoD activities.”*

Section 4.2.2 states that it is DoD policy to accomplish these objectives by using a management approach that *“. . . emphasizes pollution prevention and incorporates P2 at installations, and into all phases of acquisition, operations, maintenance, support and the ultimate disposal of weapon systems over the system life-cycle.”*

### **OPNAVINST 5090.1B**

OPNAVINST 5090.1B, Chapter 3, Section 3.6 expresses the need for the Navy to *“. . . act to prevent pollution and to decrease the release of pollutants into the environment.”*

**\*Note: DoD Regulation 5000.2-R is under revision and may modify identified requirements.**